

12.05.2023
Sl. No.9
akd
[ALLOWED]

C. R. M. (NDPS) 966 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.05.2023 in connection with Islampur Police Station Case No. 18 of 2022 dated 09.01.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Nabiul Sk. @ Nabiul Shaikh***

... .. Petitioner

Mr. Somnath Adhikary

... .. for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than a month. Co-accused have been enlarged on bail by the Hon'ble Apex Court. Accordingly, he prays for bail.

Learned Advocate for the State produces the case diary.

We have considered the materials on record. Co-accused have been enlarged on bail by the Hon'ble Apex court. Petitioner stands on the same footing with the said co-accused. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Nabiul Sk. @ Nabiul Shaikh***, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act, Berhampore, Murshidabad subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate

witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future.

In the event he fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)